

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

STEVEN BRADLEY,

No. 2:23-cv-00527 DB P

Petitioner,

ORDER AND

v.

FINDINGS AND RECOMMENDATIONS

BRANDEN PRICE,

Respondent.

By order filed on September 26, 2023 (ECF No. 3), petitioner's habeas application was dismissed with leave to amend because it did not clearly state on what grounds petitioner challenges his confinement, whether he exhausted his claims in state court, and did not contain sufficient information to determine whether venue is appropriate. The court granted petitioner sixty days' leave to file an amended petition on the form provided and to submit the filing fee or an application requesting leave to proceed in forma pauperis. The time granted has expired, and petitioner has not responded to the court's order.

In accordance with the above, IT IS HEREBY ORDERED that the Clerk of the Court is directed to assign a district judge to this case; and

In addition, IT IS HEREBY RECOMMENDED that this action be dismissed without prejudice. See Local Rule 110; Fed. R. Civ. P. 41(b).

////

1 These findings and recommendations are submitted to the United States District Judge
2 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days
3 after being served with these findings and recommendations, petitioner may file written
4 objections with the court. The document should be captioned “Objections to Magistrate Judge’s
5 Findings and Recommendations.” Petitioner is advised that failure to file objections within the
6 specified time may waive the right to appeal the District Court’s order. Martinez v. Ylst, 951 F.2d
7 1153 (9th Cir. 1991).

8 Dated: December 11, 2023

9
10 DLB7
11 brad0527.fta.hab



DEBORAH BARNES
UNITED STATES MAGISTRATE JUDGE

12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28